

**UNITED STATES DISTRICT COURT**  
**SOUTHERN DISTRICT OF GEORGIA**  
**SAVANNAH DIVISION**

WILLIS COOPER,

Plaintiff,

v.

Case No. CV413-091

STATE OF GEORGIA;

DAVID LOWE,

Director, Child Support Agency;

CARROL BRANNEN,

Child Support Agency,

Defendants.

**ORDER**

Proceeding *pro se*, plaintiff Willis Cooper seeks leave to file, without prepayment of the Court's filing fee, this putative 42 U.S.C. § 1983 "civil rights" case<sup>1</sup> against the State of Georgia and child support officials after decades of child-support enforcement efforts against him. Docs 1 & 2.

The Court will grant leave to proceed *in forma pauperis* (IFP) if the plaintiff demonstrates that he cannot, because of poverty, afford to pay

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<sup>1</sup> He does not specify any particular remedy.

the costs of litigation and still provide for himself and any dependents. 28 U.S.C. § 1915(a); *Adkins v. E.I. Dupont de Nemours*, 335 U.S. 331, 339 (1948); *Martinez v. Kristi Kleaners, Inc.*, 364 F.3d 1305, 1307 (11th Cir. 2007). He need not be absolutely destitute in order to proceed IFP, but the fact that financing his own litigation may cause some difficulty is not sufficient to relieve him of his obligation to pay his own way where it is possible for him to do so without undue hardship. *Adkins*, 335 U.S. at 339-340.

Cooper says he is unemployed with *no* source of income of any kind, and has no money *at all*. Doc. 2 at 1-2. Plus he is saddled with medical bill debt. *Id.* at 2. The obvious question, then, is how does he live? Is he on the street? Feeding himself from hand-outs? Completely penniless? If so, he must declare this to be true under penalty of perjury, per the 28 U.S.C. § 1746 affirmation on the new IFP form that the Clerk shall furnish when serving him with this Order. Within that affirmation he must supply his present address and, if he lives in any form of housing, who owns it and what arrangements are associated (*e.g.*, whether he is living rent-free, exchanging his labor for

rent, etc.). He must comply within 14 days or face dismissal of this case.

**SO ORDERED**, this 22<sup>nd</sup> day of April, 2013.

  
UNITED STATES MAGISTRATE JUDGE  
SOUTHERN DISTRICT OF GEORGIA